

State of Idaho
DEPARTMENT OF INSURANCE

C.L. "BUTCH" OTTER
Governor

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DEAN L. CAMERON
Director

November 27, 2018

SENT VIA E-MAIL: 63551-79315272@requests.muckrock.com

MuckRock News
DEPT MR 63551
Attn: Thomas Johnsberg
411A Highland Ave.
Somerville, MA 02144-2516

RE: Request for Public Records

Dear Mr. Johnsberg:

This letter is in response to your Request for Public Records dated November 9, 2018, received by the state of Idaho, Department of Insurance (Department) on November 9, 2018, requesting:

“. . . information about closed claims for commercial automobile liability policies for the calendar year 2015. Specifically. . . the following information for each claim:

- Vehicle Identification Number (VIN) or another persistent ID of insured*
- Vehicle Identification Number (VIN) or another persistent ID of claimant(s)*
- License plate number/state*
- Time/date of accident*
- Location of accident*
- Incurred loss value (property)*
- Incurred loss value (bodily injury)*
- Date claim closed (property)*
- Date claim closed (bodily injury)*
- Was legal suit filed?*
- Was case settled or trial?*
- Number of fatalities*
- Number of injuries”*

Please note that while we have located two (2) closed consumer complaint files that may fall within your request, the Department does not collect in its normal course of business the specific information you are seeking in the format for which you are seeking it. The information collected by the Department is requested for the purpose of determining whether a given insurance company, agent and/or adjustor is acting in compliance with Title 41, Idaho Insurance Code in the handling of insurance claims, insurance policies, or in their insurance business practices.

The Department investigates consumer complaints that typically involve a specific issue, such as a dissatisfaction with the claim settlement amount, the valuation of the consumer's vehicle in a total loss claim, a policy cancellation, or an insurance premium dispute, etc. In that regard, the Department generally only asks for documents that support the company's response and/or position for that specific claim or policy issue. It is likely that the information collected does not include whether there was a "legal suit filed," whether the "case settled or went to trial," and may not contain the "number of fatalities" or "number of injuries" per claim.

Additionally, when the Department provides requested documents in a Public Records Request, personal information, such as VIN numbers, license plate numbers, the claim number, etc., contained within the documents is redacted from those records prior to disclosure, per Idaho Code § 74-105(1) (to include investigatory records the release of which would constitute an unwarranted invasion of personal privacy); § 74-106 (4) (where applicable and summarized as records of a personal nature to include some personal debt, financial and security information, vital statistic information, and military records); § 74-106(9) (to include information obtained as part of an inquiry into a person's fitness to obtain or maintain a license); and § 74-106 (15) (to include personal information contained in motor vehicle and driver records that is exempt from disclosure under the provisions of chapter 2, title 49, Idaho Code).

The two (2) consumer complaint files that may be relevant to this inquiry total 171 pages, and are subject to copying costs of \$0.05 per page after the first 100 pages, and labor costs of \$15 per hour after the first two (2) hours for the copying and redacting. The Department has determined that copying and labor fees apply to your request, pursuant to Idaho Code § 74-102, and are estimated as follows:

Estimated Staff Labor - 7 hours:	5 hour X \$15 per hour	= \$ 75.00
Estimated Copies - 171 pages:	71 X \$.05 per page	= \$ 3.55

Please remit payment in the amount of \$78.55 made payable to the Idaho Department of Insurance. Receipt of such payment is required before the requested copies of public records will be provided to you.

Please contact me if you have any questions.

Sincerely,



Mindy Walters
Consumer Affairs Officer
Idaho Department of Insurance
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E-mail: mindy.walters@doi.idaho.gov